SPO File No 032-AAW

2005004539

FOR REGISTRATION REGISTER OF DEEDS
Willie L. Covington
DURHAM COUNTY, NC
2005 FEB 01 02:39:36 PM
BK:4687 PG:868-875 FEE:$32.00
NC REV STAMP:$1,693.20
INSTRUMENT # 2005004539

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax $1,693.20

Parcel Identifier No. _____ Verified by Durham County on the _____ day of _____, 2005.

Mail after Recording to: State of North Carolina
Attorney Generals Office
Property Control Section
9001 Mail Service Center
Raleigh, NC 27699-9001

This instrument was prepared by: Thomas J. Stevens, P.A., Attorneys at Law

Brief description for the Index: 70.550 ACRES INFINITY ROAD

THIS GENERAL WARRANTY DEED, made this the 1st day of February, 2005, by and between

GRANTOR	GRANTEE
EMILIE B. STEVENS and husband, THOMAS J. STEVENS 503 November Drive Durham, NC 27712	THE STATE OF NORTH CAROLINA c/o State Property Office 1321 Mail Service Center Raleigh, NC 27699-1321

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, [illegible] valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain and convey unto the Grantee in fee simple, all of Grantor's interest in that certain lot or parcel of land situated in Lebanon Township, Durham County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1232, Page 728, Durham County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises referenced herein in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

(1) A general utility easement in favor of Duke Power Company as contained in instrument recorded in Book 223 at Page 186 of the Durham County Registry.

(2) See Exhibit B attached hereto and made a part hereof.

Thomas J. Stevens joins in the execution of this Deed for the sole purpose of conveying his marital interest in the property described herein.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

Emilie B Stevens (SEAL)
Emilie B. Stevens

Thomas J. Stevens (SEAL)
Thomas J. Stevens

_____ (SEAL)

_____ (SEAL)

SEAL - STAMP

State of North Carolina, County of Durham.

I, Barbara Adcock Newcomb, a Notary Public of Durham County, certify that EMILIE B. STEVENS AND THOMAS J. STEVENS, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 1st day of February, 2005.

BARBARA ADCOCK NEWCOMB NOTARY PUBLIC DURHAM CO., NORTH CAROLINA

Barbara Adcock Newcomb
NOTARY PUBLIC

My commission expires: 11-10-08

The foregoing certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ REGISTER OF DEEDS FOR DURHAM COUNTY

By _____ Deputy/Assistant-Register of Deeds.

EXHIBIT (A)

SPO File Number 032-AAW
70.550 acre tract on Infinity Rd., Durham, NC
Emilie B. Stevens Tract

Beginning at an iron stake on the southern right-of-way line of Infinity Road (SR 1639), said iron stake being located South 84 degrees 15 minutes 35 seconds West, 1392.86 feet from a PK nail located at the intersection of the centerlines of Infinity Road and Snow Hill Road, said iron stake also being the northwest corner of that property conveyed to Julian Hendryx by Deed Book 4180, Page 69, thence from said beginning point South 25 degrees 13 minutes 57 seconds West, 756.67 feet to an iron stake; thence South 07 degrees 20 minutes 25 seconds West, 1787.27 feet to an iron stake at the northeast corner of that property conveyed to the City of Durham by Deed Book 1088, Page 677; thence North 74 degrees 59 minutes 19 seconds West, 129.36 feet to an iron stake; thence South 87 degrees 46 minutes 45 seconds West, 133.97 feet to an iron stake; thence South 67 degrees 47 minutes 18 seconds West, 84.49 feet to an iron stake; thence South 56 degrees 39 minutes 26 seconds West, 192.79 feet to an iron stake; thence North 71 degrees 12 minutes 54 seconds West, 108.33 feet to an iron stake; thence South 81 degrees 20 minutes 56 seconds West, 105.18 feet to an iron stake; thence South 68 degrees 35 minutes 05 seconds West, 78.67 feet to an iron stake, the southeast corner of the Jack B. Penny property; thence along the eastern line of the Jack B. Penny property, North 07 degrees 10 minutes 09 seconds East, 2644.70 feet to an iron stake on the southern right-of-way line of Infinity Road; thence along the southern right-of-way line of Infinity Road along a counterclockwise curve having a radius of 736.49 feet and an arc length of 75.90 feet to a concrete monument; thence South 60 degrees 09 minutes 16 seconds East, 507.69 feet to a concrete monument; thence along a counterclockwise curve having a radius of 1017.68 feet and an arc length of 796.11 feet to a concrete monument; thence North 73 degrees 49 minutes 45 seconds East, 144.61 feet to an iron stake, the point and place of beginning, and containing 70.550 acres according to a plat of survey prepared by Southeastern Surveys, Inc, dated December 3, 2004, entitled "property of Emilie B. Stevens", to which reference is hereby made for a more particular description of same.

EXHIBIT (B)

DECLARATIONS AND RESTRICTIONS

The State of North Carolina has received funding from the N.C. Ecosystem Enhancement Program for acquisition of the Property as conveyed and described in the attached General Warranty Deed. In consideration of this funding, the N.C. Ecosystem Enhancement Program has required that these Declarations and Restrictions be inserted in this deed, and the State sets aside, declares, reserves and recognizes, for all related State Agencies, and for the benefit of the people of the State, a perpetual riparian buffer, hereinafter identified as the ("**Restricted Area**"). The Restricted Area extends outwardly 300' (Three Hundred Feet) from both sides of the top of bank of the Eno River, including all associated stream channels, creeks, rivers and all other identified tributaries on the Property. The Restricted Area also applies to any and all identified or defined wetlands on the Property. The Restricted Area as defined is subject to the restrictions as recited below and will be forever conserved and managed in a manner that will improve and protect the quality of the waters of the Eno River and its associated tributaries within the Property that drain to the Neuse River Basin, and otherwise promote the public purposes authorized under the provisions of N.C. General Statute § 143-214.8.

The purposes of these Restrictions are to maintain, restore, enhance, create and preserve wetland and/or riparian resources within the Restricted Area that contribute to the protection and improvement of water quality, flood prevention, fisheries, aquatic habitat, wildlife habitat, and recreational opportunities; to maintain permanently the Restricted Area in its natural condition, consistent with these purposes; and to prevent any use of the Restricted Area that will significantly impair or interfere with these purposes. To achieve these purposes, the following conditions and restrictions are set forth:

RESERVED USES AND RESTRICTED ACTIVITES

A. Motorized Vehicles. Usage of motorized vehicles in the Restricted Area is prohibited, except as they are used exclusively for management, maintenance, or stewardship purposes, and on existing trails, paths or roads for the purposes recited above.

B. Vegetative Cutting. Except as related to the removal of non-native plants, diseased or damaged trees, and vegetation that obstructs, destabilizes or renders unsafe the Restricted Area to persons or natural habitat, all cutting, removal, mowing, harming, or destruction of any trees and vegetation in the Restricted Area is prohibited.

C. Industrial, Agricultural, Residential and Commercial Uses. All are prohibited in the Restricted Area.

D. New Construction. There shall be no building, facility, mobile home, antenna, utility pole, tower, or other structure constructed or placed in the Restricted Area.

E. Roads and Trails. There shall be no new construction of roads, trails, walkways, or paving in the Restricted Area. Existing roads or trails located in the Restricted Area may be maintained in order to minimize runoff, sedimentation and for access to the interior of the Property for management, maintenance, stewardship purposes, or undeveloped recreational and educational uses of the Restricted Area. Existing roads, trails or paths may be maintained with loose gravel, soil, or permanent vegetation to stabilize or cover the surfaces.

F. Signs. No signs shall be permitted in the Restricted Area except interpretive signs describing restoration activities and the conservation values of the Restricted Area, signs identifying the owner of the Property, signs giving directions, or signs prescribing rules and regulations for the use of the Restricted Area may be allowed.

G. Dumping or Storing. Dumping or storage of soil, trash, ashes, garbage, waste, abandoned vehicles, appliances or machinery, or other material in the Restricted Area is prohibited.

H. Grading, Mineral Use, Excavation, Dredging. Unless related to approved restoration activities, there shall be no grading, filling, excavation, dredging, mining, or drilling within the Restricted Area.

I. Water Quality and Drainage Patterns. Unless related to approved restoration activities, there shall be no diking, draining, dredging, channeling, filling, leveling, pumping, impounding or diverting, causing, allowing or permitting the diversion of surface or underground water in the Restricted Area. No altering or tampering with water control structures or devices, or disruption or alteration of the restored, enhanced, or created drainage patterns. Any use of pesticide or biocides is prohibited. In the event of an emergency interruption or shortage of all other water sources, water from within the Restricted Area may temporarily be used for good cause shown as needed for the survival of livestock and agricultural production.

J. Subdivision and Conveyance. No further subdivision, partitioning, or dividing of the Restricted Area is allowed.

K. Disturbance of Natural Features. Any change, disturbance, alteration or impairment of the natural features of the Restricted Area or any intentional introduction of non-native plants, trees and/or animal species is prohibited.

L. Restoration Activities Are Permitted. Includes but not limited to planting of trees, shrubs and herbaceous vegetation, installation of monitoring wells, utilization of heavy equipment to grade, fill, and prepare the soil, modification of the hydrology of the site, and installation of natural and manmade materials as needed to direct in-stream, above ground, and subterraneous water flow according to a restoration plan as provided, contracted, or managed by the N.C. Ecosystem Enhancement Program.

RECEIVED
FEB 22 2005
NC Dept of Justice
Attorney's General Office, Property Control

WILLIE L. COVINGTON
REGISTER OF DEEDS, DURHAM COUNTY
DURHAM COUNTY COURTHOUSE
200 E. MAIN STREET
DURHAM, NC 27701

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of recorded document, and must be submitted with original for re-recording and/or cancellation.

****

Filed For Registration:	**02/01/2005 02:39:36 PM**
Book:	**RE 4687 Page: 868-875**
Document No.:	**2005004539**
	DEED 8 PGS $32.00
NC REAL ESTATE EXCISE TAX:	**$1,693.20**
Recorder:	**APRIL J WILLIAMS**

****

State of North Carolina, County of Durham

The foregoing certificate of BARBARA ADCOCK NEWCOMB Notary is certified to be correct. This 1 ST of February 2005

WILLIE L. COVINGTON , REGISTER OF DEEDS

By: April J Williams

Deputy/~~Assistant~~ Register of Deeds

****

2005004539